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SEP 14 2009

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JAMES N. HATTEN, Clerk  
By: *J. P. Wick* Deputy Clerk

C5 ADVISORS, LLC,

Plaintiff,

v.

DEBARTOLO DEVELOPMENT,  
LLC,

Defendant.

CIVIL ACTION FILE  
NO. 1:09-CV-2396-JEC

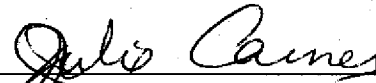
**ORDER GRANTING DEFENDANT DEBARTOLO DEVELOPMENT,  
LLC'S EMERGENCY MOTION FOR PROTECTIVE ORDER**

Before the Court is DeBartolo Development, LLC's ("DeBartolo") emergency motion for protective order filed pursuant to Federal Rule of Civil Procedure 26 and Local Rule for the Northern District of Georgia 7.2 requesting that the Court grant a protective order relieving DeBartolo from obligations to respond to expedited discovery as previously ordered by the Court on September 3, 2009. DeBartolo's motion is filed on the grounds that it has filed a motion to dismiss Plaintiff's complaint for lack of jurisdiction and improper venue under Federal Rule of Civil Procedure 12(b) and on the basis of its representation that, without conceding that the Plaintiff has suffered or will suffer irreparable damage

or that the Plaintiff will succeed on the merits, it is willing to enter into a preliminary injunction extending the terms of the Temporary Restraining Order currently in place in order to preserve the status quo between the parties.

Having considered DeBartolo's emergency motion for a protective order and the representations made therein, the Court hereby **GRANTS** DeBartolo's motion for a protective order and relieves DeBartolo from the obligation to respond to expedited discovery relating to preservation of evidence and the need for a preliminary injunction. Further, the Temporary Restraining Order entered by the Court on September 3, 2009 is hereby extended until such time as the Court can address DeBartolo's motion to dismiss this action.

SO ORDERED this 12 day of September, 2009.

  
Julie E. Carnes  
Judge, United States District Court,  
Northern District of Georgia

**CERTIFICATE OF SERVICE**

I hereby certify that on September 11, 2009, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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